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9 Attorneys for Plaintiff Sony Corporation

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12

13  
14 SONY CORPORATION,

15 Plaintiff,

16 v.

17 VIZIO, INC.,

18 Defendant.  
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CASE NO. CV 08-03934-RGK (FMOx)

**DISCOVERY MATTER**

**CONFIDENTIAL DECLARATION  
OF PETER A. KLIVANS IN  
SUPPORT OF JOINT STIPULATION  
REGARDING SONY  
CORPORATION'S MOTION TO  
COMPEL A FURTHER RESPONSE  
TO SONY'S REQUEST FOR  
PRODUCTION NOS. 17-23, 24, 68,  
AND 82**

**FILED UNDER SEAL**

**Magistrate Judge: Hon. Fernando M. Olguin**

**Discovery Cut-Off Date:** November 1, 2009

**Pretrial Conference Date:** January 10, 2010

**Trial Date:** January 26, 2010

1           1.       I am an attorney with the law firm of Quinn Emanuel Urquhart Oliver  
2 & Hedges, LLP, counsel for Sony Corporation ("Sony"). I submit this declaration  
3 in support of Sony and Vizio's JOINT STIPULATION REGARDING SONY  
4 CORPORATION'S MOTION TO COMPEL A FURTHER RESPONSE TO  
5 SONY'S REQUEST FOR PRODUCTION NOS. 17-23, 24, 68, AND 82. I have  
6 personal knowledge of the facts stated in this declaration, and if called upon to do  
7 so, could and would competently testify thereto.

8           2.       Attached hereto as Exhibit A is a true and correct copy of the transcript  
9 of the parties' July 23, 2009 in-person meet and confer.

10          3.       Attached hereto as Exhibit B is a true and correct copy of this Court's  
11 Order establishing the initial case schedule.

12          4.       Attached hereto as Exhibit C is a true and correct copy of Sony's First  
13 Set of Requests for Production to Vizio, served on March 23, 2009.

14          5.       Attached hereto as Exhibit D is a true and correct copy of Vizio's  
15 Response to Sony's First Set of Requests for Production, served on April 22, 2009.

16          6.       Attached hereto as Exhibit E is a true and correct copy of a July 13,  
17 2009 letter from Todd Kennedy to Ryan McCrum.

18          7.       Attached hereto as Exhibit F is a true and correct copy of a July 17,  
19 2009 letter from Ryan McCrum to Todd Kennedy.

20          8.       Attached hereto as Exhibit G is a true and correct copy of a July 21,  
21 2009 letter from Todd Kennedy to Ryan McCrum.

22          9.       Attached hereto as Exhibit H is a true and correct copy of a July 21,  
23 2009 letter from Peter Klivans to Ryan McCrum.

24          10.       Attached hereto as Exhibit I is a true and correct copy of a July 23,  
25 2009 letter from Peter Klivans to Ryan McCrum.

26          11.       Attached hereto as Exhibit J is a true and correct copy of a July 29,  
27 2009 letter from Ryan McCrum to Peter Klivans.  
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1           12. Attached hereto as Exhibit K is a true and correct copy of a document  
2 produced in this case bearing production numbers V0000128537-564.

3           13. Attached hereto as Exhibit L is a true and correct copy of a document  
4 produced in this case bearing production numbers V0000142720-734.

5           14. Attached hereto as Exhibit M is a true and correct copy of a document  
6 produced in this case bearing production numbers V0000142813-814.

7           15. Attached hereto as Exhibit N is a true and correct copy of a document  
8 produced in this case bearing production numbers V0000142811-812.

9           16. Attached hereto as Exhibit O is a true and correct copy of a document  
10 produced in this case bearing production numbers V0000019846-870.

11           17. Attached hereto as Exhibit P is a true and correct copy of a document  
12 produced in this case bearing production numbers V0000041131-132.

13           18. Attached hereto as Exhibit Q is a true and correct copy of a document  
14 produced in this case bearing production numbers V0000049649-650.

15           19. Attached hereto as Exhibit R is a true and correct copy of a document  
16 produced in this case bearing production numbers V0000118456-494.

17           20. Attached hereto as Exhibit S is a true and correct copy of a document  
18 produced in this case bearing production numbers V0000081213-218.

19           21. Attached hereto as Exhibit T is a true and correct copy of a document  
20 produced in this case bearing production numbers V0000053144.

21           22. Attached hereto as Exhibit U is a true and correct copy of a document  
22 produced in this case bearing production numbers V0000125670-683.

23           23. Attached hereto as Exhibit V is a true and correct copy of a document  
24 produced in this case bearing production numbers V0000042375-376.

25           24. Attached hereto as Exhibit W is a true and correct copy of a May 20,  
26 2009 letter from Ryan McCrum to Todd Kennedy.

27           25. Attached hereto as Exhibit X is a true and correct copy of the transcript  
28 of the parties' May 11, 2009 in-person meet and confer.

1           26. Attached hereto as Exhibit Y is a true and correct copy of "Good Omen  
2 for Vizio," May 21, 2009, [www.forbes.com](http://www.forbes.com), available at  
3 <http://www.forbes.com/2009/05/21/taiwan-vizio-amtran-exports-lcd-tv.html>.

4           27. Attached hereto as Exhibit Z is a true and correct copy of Attachment  
5 A (Revision 2) to Vizio's Second Supplemental Response to Sony's Interrogatories,  
6 served on July 17, 2009.

7           28. I have personally reviewed records of all of Sony and Vizio's pre- and  
8 post-Complaint meetings regarding this dispute, and AmTRAN personnel attended  
9 each meeting on Vizio's behalf.

10           29. The AmTRAN-Sony litigation is captioned *Sony Corp. v. AmTRAN*  
11 *Technology Ltd.*, Case No. 08-5706, in N.D. Cal., and *AmTRAN Technology Ltd. V.*  
12 *Funai Electric Co., Ltd.*, Case No. 08-740, in W.D. Wis. The Wisconsin action was  
13 recently transferred to the Northern District of California.

14           30. I have personally overseen Sony's production of documents in the  
15 Sony-AmTRAN disputes. Sony has produced in those litigations thousands of  
16 pages of chip specifications and data sheets, as well as service manuals for every  
17 accused product.

18           I declare under penalty of perjury under the laws of the United States that the  
19 foregoing is true and correct to the best of my knowledge.

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22 DATED: August 17, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES. LLP

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25 Bv

  
Peter A. Klivans  
Attorneys for Plaintiff SONY  
CORPORATION